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19
20 **UNITED STATES DISTRICT COURT**
FOR THE DISTRICT OF NEVADA

21 UNITED STATES OF AMERICA,) IN EQUITY NO. C-125-MMD
22 Plaintiff,) Subproceeding: 3:73-CV-00125-MMD-WGC
23 WALKER RIVER PAIUTE TRIBE,)
24 Plaintiff-Intervenor,) **STATUS REPORT AND STIPULATION**
25 vs.) **AND REQUEST FOR ORDER ON**
26 WALKER RIVER IRRIGATION DISTRICT,) **BRIEFING**
27 a corporation, et al.,)
28 Defendants.)

STATUS REPORT AND STIPULATION AND REQUEST FOR ORDER ON BRIEFING

1 The United States, the Walker River Paiute Tribe (Tribe), the Walker River Irrigation
2 District (WRID), and the United States Board of Water Commissioners for the Walker River
3 (USBWC) (collectively, Parties), by and through their undersigned counsel, jointly submit to the
4 Court this Status Report and Stipulation and Request for Order on Briefing regarding the annual
5 initiation of the Tribe's irrigation season.

6 1. In response to the *Report and Petition for Approval of Budget and Approval of Rate of*
7 *Assessment for the Year July 1, 2020 Through June 30, 2021, and for Approval of the*
8 *Audit Report for the Year Ended June 30, 2019* (ECF No. 1605) (*Report and Petition*),
9 the Tribe and the United States objected to the proposed report concerning the initiation
10 of the Tribe's irrigation season. *Joint Comments/Objections of the Walker River Paiute*
11 *Tribe and the United States of America to the Report and Petition for Approval of Budget*
12 *and Approval of Rate of Assessment for the Year July 1, 2020 through June 30, 2021, and*
13 *for Approval of the Audit Report for the Year Ended June 30, 2019* (ECF No 1617).
14 2. The Court approved the Report and Petition. In response to the objection filed by the
15 Tribe and the United States (ECF No. 1617), the Court encouraged the Parties "to discuss
16 the matter and file a motion if they cannot resolve the issue." *Minutes of Proceeding*
17 (ECF No. 1625).
18 3. On May 21, 2020, the Court ordered that if the Parties were unable to resolve the dispute,
19 the United States and Tribe should file a motion(s), on or before August 31, 2020, with
20 responses due on September 30, 2020, and replies due on October 16, 2020. *Minutes of*
21 *Proceeding* (ECF No. 1625).
22 4. Because the Parties made progress to resolve their differences concerning the objection
23 previously filed (ECF No. 1617) but had not yet reached an agreement, the Parties
24 requested an extension to continue to attempt to resolve the dispute by agreement and
25 vacate the briefing deadlines.
26 5. In the August 31, 2020 *Minute Order* (ECF No. 1643), the Court vacated the briefing
27 deadlines established in the May 21, 2020 *Minute Order* and required a joint status report
28 to be filed by September 30, 2020.

1 6. The Parties remain open to the possibility of resolving their dispute through agreement
2 but have not reached a resolution at this time. The Parties believe the proposed schedule
3 should allow for a ruling on the issue of the irrigation season start date for the Walker
4 River Indian Reservation without interfering with the 2021 irrigation season which
5 commences March 1, 2021.

6 NOW, THEREFORE, the Parties hereby stipulate and agree as follows and request that the Court
7 enter an order accordingly:

8 1. The Tribe and United States will file motion(s) on or before October 16, 2020.
9 2. USBWC and WRID will file responses on or before November 20, 2020.
10 3. The Tribe and United States will file reply(s) on or before December 11, 2020.
11 4. The Parties shall immediately inform the Court if they have resolved their dispute
12 through agreement.

13 Dated: September 30, 2020

14 LAW OFFICES OF WES WILLIAMS, JR.,
15 P.C.

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17 (per authorization)
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By: /s/ Karen A. Peterson
 (per authorization)
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1 U.S. DEPARTMENT OF JUSTICE

2 By: /s/ Guss Guarino

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WOODBURN AND WEDGE

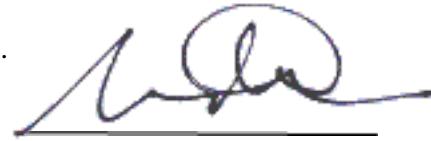
By: /s/ Gordon H. DePaoli

(per authorization)
Gordon H. DePaoli, NSB 195

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14 **ORDER**

15 Dated: September 30, 2020. IT IS SO ORDERED.



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Miranda M. Du
Chief United States District Judge

Certificate of Service

It is hereby certified that on September 30, 2020 service of the foregoing was made through the court's electronic filing and notice system (CM/ECF) to all of the registered participants..

/s/ Andrew "Guss" Guarino
Andrew "Guss" Guarino

STATUS REPORT AND STIPULATION AND REQUEST FOR ORDER ON BRIEFING